

p. 688 James Mills Thomas Jones late of S^t Maryes County Sloopman was ag^t Attached to Answer James Mills in a plea of trespas Tho: Jones upon the case

And whereupon the said James by Kenelm Cheseldyn his Attorney complaineth, that whereas the said Thomas Iones the Eighteenth day of May in the yeare of our Lord One thousand six hundred seventy seven stood indebted unto the said James Mills for divers Goods & M^rchandizes as also for one Mare & Colt As also for severall sumes of tobacco paid unto severall persons in this Province att the request of him the said Thomas for & on the behalfe of him the said Tho: All which said Goods & Mrchandizes payments & disbursements had & received paid & disbursed att divers dayes & tymes to witt from the said Eighteenth day of May aforesaid untill the twentieth day of a particuler whereof is here in Court produced amounting in the whole to the sume of Seven thousand two hundred six pounds of tobacco In considercon whereof the said Thomas did assume upon himselfe & to the said James did faithfully promise that he the said Thomas the said Sume of Seven thousand two hundred & six pounds of tobacco to him the said Tames when thereunto required would well & truely content & pay Notwithstanding which the said Thomas the said sume of Seven thousand two hundred & six pounds of tobacco according to his promise hath not paid though often thereunto required but the same to him to pay hitherto hath & still denyes to pay to the damage of the said James Mills the Sume of Nine thousand pounds of tobacco & thereupon he bringeth his suite

And the said Thomas Jones by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the Sixteenth day of Octob^r in the third yeare of the Dominion of Charles Lord Baltemore &c Annog Dni 1678 came as well the said plaintiffe as the said Defend^t by their Attorney aforesaid And the said Defend^t by his said Attorney saith, that he did not assume & promise in manner & forme as the said Ja: Mills above against him hath declared And of this he prayes the judgem^t of the Court And the plaintiffe also And hereupon the plea aforesaid of the said Defend^t being seen, & the plaintiffe's accompt being proved in open Court itt seemeth to the Justices here that the Defend^t did assume & promise in manner & forme as the